

REMARKS

In the Office Action, the Examiner rejected claims 1, 15, 16, 28, and 33 under 35 U.S.C. §102(b) as being anticipated by Koshishiba et al. and rejected claims 25-27 under 35 U.S.C. § 112, second paragraph. The Examiner also stated that claim 25 would be allowable if rewritten to overcome the rejections under 35 U.S.C. §112, second paragraph, that claims 2-14, 17-19, 29-32 and 34-37 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims, and that claims 20-24 are allowable. Reconsideration of the application is respectfully requested based on the following remarks.

Claims 1, 3, 13, 25, 28, and 33 have been amended to further clarify the subject matter regarded as the invention. Claims 2 and 29 have been canceled. Claims 1, 3-28, and 30-37 are now pending in this application.

REJECTION OF CLAIMS 25-27 UNDER 35 U.S.C. § 112, SECOND PARAGRAPH, FOR INDEFINITENESS

In the Office Action, the Examiner points out that there is insufficient antecedent basis for “the zoom lens” in claim 25. To remedy the indefiniteness, claim 25 has been amended to change the zoom lens to the objective lens. Therefore, it is requested that the rejection of claims 25-27 under 35 U.S.C. § 112, second paragraph be withdrawn.

ALLOWABLE SUBJECT MATTER

In the Office Action, the Examiner states that claim 25 would be allowable if amended to overcome the rejection under 35 U.S.C. §112, second paragraph. Claim 25 has been so amended, therefore it is submitted that claim 25 is now in condition for allowance. It is also submitted that claims 26 and 27 are allowable since they depend from claim 25.

Claims 1, 28, and 33 have been amended to include the limitations of claims 2 and 29. Specifically, claims 1, 28, and 33 now recite an objective lens that has high magnification. Even though the Office Action states that claim 33 would be allowable if claim 33 were amended to include the limitations of claim 34, it is respectfully submitted that the currently amended claim 32 is in condition for allowance.

SUMMARY

It is respectfully submitted that all pending claims are allowable and that this case is now in condition for allowance. Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

If any fees are due in connection with the filing of this Amendment, the Commissioner is authorized to deduct such fees from the undersigned's Deposit Account No. 50-0388 (Order No. KLA1P027X1).

Respectfully submitted,

BEYER WEAVER & THOMAS, LLP

A handwritten signature in black ink, appearing to read 'Phillip P. Lee', written over a horizontal line.

Phillip P. Lee
Reg. No. 46,866

BEYER WEAVER & THOMAS, LLP
P.O. Box 778
Berkeley, CA 94704-0778

Telephone: (510) 843-6200
Facsimile: (510) 843-6203